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The situation of women and girls in Afghanistan

Report of the Secretary-General

Summary

In compliance with Economic and Social Council resolution 2003/43 of 22 July 2003, the present report presents an overview of the situation of women and girls in Afghanistan in 2003 and gender-related assistance provided by the United Nations system.

The report provides information about activities undertaken by the United Nations and its system of organizations in support of the Afghan Transitional Administration and its work in the advancement of women and gender equality. It includes recommendations for further efforts, including the need for increased security and prevention of violence, the importance of ensuring that the new Constitutional Loya Jirga enshrines the equality of women with that of men and that the forthcoming elections promote the full participation of women as well as the importance of a rights-based and gender-sensitive approach to relief, reconstruction and development.

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I. Introduction

1. The present report is submitted in compliance with Economic and Social Council resolution 2003/43 on the situation of women and girls in Afghanistan, in which the Council requested the Secretary-General to report to the Commission on the Status of Women at its forty-eighth session, on progress made in the implementation of that resolution.

2. It is the fourth report submitted to the Commission on the situation of women and girls in Afghanistan. It contains information on political, social and economic developments affecting Afghan women since the submission of the last report (E/CN.6/2003/4), with particular focus on steps taken by the Afghan Transitional Administration and on action taken by the United Nations system and other actors to assist the Administration in its efforts to empower women and strengthen their status, particularly with respect to women's representation and participation in constitutional and electoral processes. It draws on information provided, inter alia, by the United Nations and its system of organizations[1] and concludes with a set of recommendations.

II. Progress and challenges facing Afghan women and girls

3. In the two years since the fall of the Taliban regime, the Afghan Transitional Administration, supported by the international community, has focused considerable attention on the plight of Afghan women and girls. Despite many obstacles, women are playing a crucial role in building a new Afghanistan both politically and economically. They have participated throughout the country in the consultative process in drafting the new constitution. Women continue to return to the workforce in modest numbers, gain access to education and health services, and in a very recent development, they are being chosen in significant numbers to represent their concerns and interests in the Constitutional Loya Jirga.

4. The challenges facing Afghan women have been documented in numerous official and media reports throughout 2003, notably in the report of the first Security Council mission to Afghanistan (S/2003/1074), starting on 31 October 2003, coinciding with the third anniversary of the landmark Security Council resolution 1325 (2000) on women, peace and security. The Council, in its report, drew attention to the ongoing violations of women's rights and called on the Afghan Government to ensure participation of women in building national unity.

5. A major step in ensuring women's enjoyment of their rights was taken by the Afghan Transitional Administration on 5 March 2003 when it ratified the Convention on the Elimination of All Forms of Discrimination against Women without reservations. By so doing, Afghanistan is required to uphold women's civil, political, economic, social and cultural rights and to take all appropriate measures to bring national legislation into compliance with the Convention. The challenge ahead will be to implement its provisions fully and put in place the legal and judicial systems that will protect women's human rights.

6. In spite of this progress, the fact that women in many parts of the country continue to face gross violations of their rights is a matter of concern. Continued factional fighting, increasing crime related to drug trafficking and slow progress in meeting reconstruction goals owing to instability and terrorist activities hamper the

progress in securing fundamental freedoms and rights for many in the country, especially women. The importance of guaranteeing women's human rights and non-discrimination in the constitution is crucial at this juncture so as not to erode progress made to date. Provisions to protect women and girls from forced and early marriages, incarceration and all forms of gender-based violence, including domestic violence, should be enshrined in the new constitution. Women's explicit role and participation in the new Government should also be delineated, especially in the Supreme Court and in other decision-making bodies and in government ministries. In addition, women should be guaranteed positions in provincial assemblies and local councils.

7. The registration process and the holding of free and fair elections in mid-2004 will be a major test for Afghanistan. While the Afghan Transitional Administration and the international community have determined that women will have the right to vote, the smooth implementation of this policy will be in the hands of local leaders and communities. Some disturbing signs have appeared in the early days of the registration process where some women have been barred from registering. The ability of the national and provincial leaders, supported by international and national security forces, to curtail these violations will be crucial for the legitimacy of these important first elections. Along with the right to vote, women's participation as possible candidates for elected office needs to be strongly supported by the local and international actors. The capacity of potential women candidates needs to be strengthened and intensive voter education and awareness programmes implemented to dispel negative stereotypes of women as leaders. Special measures in support of women as candidates, such as incentives for political parties to have women candidates, balloting procedure, locations of voting stations and hours of opening that do not discriminate against or exclude women, and support to media campaigns that offer time for women's voices to be heard, should be supported and monitored closely by elections and gender advisory groups.

8. While the security situation remains fragile, with the emergence of newly trained and supported national security forces, both an army and national police force, and the extension of the International Security Assistance Force (ISAF) outside Kabul, the outlook for improved security seems brighter both for the Afghan people and United Nations and non-governmental organization (NGO) staff who need to move freely to support reconstruction initiatives. Efforts to ensure that these forces undertake their work in a gender-aware and supportive manner is more crucial than ever. Gender-sensitive training of all uniformed personnel, international and national, should be accelerated. A strict zero tolerance policy on violence against women should be adhered to and violators of codes of conduct should be punished. Increasing the role of women in the military and as civilian police requires greater support and encouragement. If women have no safe place to go to report crimes committed against them, they will continue to be abused and silenced.

9. The United Nations Assistance Mission in Afghanistan (UNAMA) continues to assist the Afghan Transitional Administration and the Afghan people themselves in building a board-based, multi-ethnic, fully representative and gender-sensitive Government which respects the rule of law and human rights for all. UNAMA, in coordination with other United Nations entities and their partners, works to integrate gender perspectives in all aspects of its operations.

III. Intergovernmental and expert meetings

10. Throughout the reporting period, the situation of women and girls in Afghanistan was examined in various United Nations forums, including the General Assembly, the Security Council, two functional commissions of the Economic and Social Council (the Commission on the Status of Women and the Commission on Human Rights) and in expert meetings, such as the Joint Workshop of the United Nations Inter-Agency Network on Women and Gender Equality (IANWGE) and the Organization for Economic Cooperation and Development/Development Assistance Committee (OECD/DAC) Network on Gender Equality. Afghanistan has also been examined in reports of three Special Rapporteurs.

11. In its resolution 57/113 A and B of 6 December 2002 on emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan and the situation in Afghanistan and its implications for international peace and security, the General Assembly stressed the importance of the full and equal participation of women in political, economic, cultural and social life throughout Afghanistan, as well as in reconstruction and development programmes. While welcoming the positive steps taken towards improving the situation of the human rights of many Afghans, the Assembly condemned continuing discrimination against women and girls and appealed to the Afghan Transitional Administration and the international community to mainstream gender issues in all humanitarian assistance and future rehabilitation and reconstruction programmes. In its resolution 57/234 of 18 December 2002 on the question of human rights in Afghanistan, the Assembly urged the Afghan Transitional Administration to end violations of the human rights of women and girls by ratifying the Convention on the Elimination of All Forms of Discrimination against Women, which it did on 5 March 2003. In its resolution 58/27 A and B of 5 December 2003, the Assembly reiterated its call for full participation of women in all aspects of nation-building in Afghanistan and further appealed for the mainstreaming of gender issues in future reconstruction programmes.

12. The Security Council, in its resolution 1471 (2003) of 28 March 2003 welcomed the Secretary-General's report (S/2003/333) and its recommendations and endorsed the establishment of an electoral unit within UNAMA. Moreover, it requested UNAMA to continue to assist the Afghan Independent Human Rights Commission (AIHRC) in the full implementation of the human rights provisions of the Bonn Agreement (see S/2001/1154). Furthermore, in its resolution 1510 (2003) of 13 October 2003, the Council authorized expansion of the mandate of ISAF to allow it, as resources permit, to support the maintenance of security in areas outside Kabul.

13. The Security Council mission to Afghanistan, undertaken from 31 October to 7 November 2003, came at a critical time in the implementation of the Bonn Agreement. The Council, in its report (S/2003/1074), noted the significant progress made by the Afghan Government in implementing the Agreement. Terrorist attacks, factional fighting and drug-related crimes are major concerns of Afghans that interfere with the attainment of a sustainable peace. The mission urged the Afghan Transitional Administration to take all measures to strengthen national unity and ensure universal participation in the peace process, in particular with regard to the role of women. The Secretary-General further mentions that the rights of women continue to be seriously hampered by culture, customs and the lack of security and

notes that many civil society groups believe that the current draft constitution does not provide sufficient guarantees for women's rights.

14. The report on the situation of human rights in Afghanistan submitted by the Special Rapporteur on Afghanistan (E/CN.4/2003/39), reflects the situation in 2002. In her report on extrajudicial, summary or arbitrary executions (E/CN.4/2003/3/Add.4), the Special Rapporteur recommended that an international and independent commission of inquiry be constituted as a first step towards accountability. Parallel to the commission, the Afghan Independent Human Rights Commission should be encouraged to solicit wider opinion on possible mechanisms for transitional justice.

15. In her report on violence against women in Afghanistan, its causes and consequences (A/58/421), the Special Rapporteur on violence against women welcomed the ratification of the Convention on the Elimination of All Forms of Discrimination against Women and, while noting that some progress had been made, urged the Government to take steps to tackle impunity for perpetrators of violence against women and, at the same time, to establish the rule of law. She described the deteriorating security situation, lack of sufficient international aid and widening disparities between the situation of women and girls in Kabul as compared to the rest of the country.

16. The Joint Workshop of the United Nations IANWGE and the OECD/DAC Network on Gender Equality was held in Paris on 10 and 11 July 2003 and drew on lessons learned from Afghanistan and elsewhere.[2] Habiba Sarabi, Minister of Women's Affairs of Afghanistan, in her keynote address noted, "Our challenges are enormous but our determination is greater than the challenges we face." The meeting stressed that reconstruction programmes, based on human rights principles, could avoid perpetuating situations of inequality and discrimination and lead to the creation of more equitable and sustainable societies. A safe environment, free from violence, was a precondition for achieving this. Essential elements for an equitable gender-sensitive reconstruction process were identified by the meeting and included, inter alia, the need for coordinated international support that strengthened national ownership, ensuring a high level of political will and commitment and developing gender-responsive approaches to policy formulation, budget allocations and monitoring, including through the collection and use of sex-disaggregated data. The meeting recommended in its communiqué that the international community give increased support to the Ministry of Women's Affairs for its work with other government ministries to incorporate gender perspectives in policies, budgets and sectoral plans.

IV. Follow-up to the Bonn Agreement

A. Constitutional Loya Jirga and the constitutional process

17. The Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions — the Bonn Agreement — signed on 5 December 2001, calls for the convening of a Constitutional Loya Jirga within 18 months of the establishment of the Afghan Transitional Administration. In accordance with this decision the Afghan Transitional Administration established, with the assistance of the United Nations, a Constitutional Commission. While the

security situation hampered the public consultative process and the planning for the Constitutional Loya Jirga, which started on 14 December 2003, the timeline set forth in the Bonn Agreement for the Constitutional Loya Jirga has been met.

18. As reported to the Commission on the Status of Women at its last session (see E/CN.6/2004, para. 19), the Constitutional Drafting Commission was formally inaugurated on 3 November 2002 and comprised nine judges and legal scholars, including two women, representing major ethnic groups and regions. The Commission submitted a preliminary draft constitution on 24 April 2003. Subsequently, the 35-member Constitutional Commission, including seven women, supported by UNAMA and the United Nations Development Programme (UNDP), was established. It created a secretariat in Kabul and eight regional offices throughout the country as well as sites in Pakistan and in the Islamic Republic of Iran, which facilitated public awareness and nationwide consultations on the constitution. A draft constitution was issued on 3 November 2003 and preparations for the Constitutional Loya Jirga have been made.

19. Women are employed in the Constitutional Commission secretariat as researchers, rapporteurs and coordinators of the regional offices of the Commission. Two of the secretariat offices are led by women and one woman in each region serves as a public information officer. An estimated 178,000 Afghans, of whom more than 33,700, or 19 per cent, were women, participated in over 556 public consultations on the draft constitution organized by the secretariat. The Ministry of Women's Affairs and several other organizations, including the Afghan Women's Network, the Independent Human Rights Commission, Rights and Democracy, and Afghan Women Judges, also organized workshops and seminars on women and the constitution.

20. To ensure that women's voices were heard in the drafting of the constitution and in the selection of candidates for the Constitutional Loya Jirga, a diverse group of Afghan women met in Kandahar in September 2003 and issued the Afghan Women's Bill of Rights.[3] The Bill presented to President Karzai contains what the women want to see in the constitution and calls for such rights as the right to education, protection and security, freedom of speech and the right to vote.

21. For the 500 seats of the Constitutional Loya Jirga, 450 dignitaries have been elected and 50 appointed by the President. Women held approximately 100, or 20 per cent, of the 500 seats of the Constitutional Loya Jirga. This was achieved in three ways: firstly by electing 64 women (two for each of the 32 provinces) as part of the special category elections; secondly, by having 15 per cent of the seats set aside for women in other special category elections (refugees in Pakistan and the Islamic Republic of Iran, internally displaced persons, Kuchis (nomads), Hindus and Sikhs) and thirdly, by holding 25 of 50 special appointments selected by President Karzai. This is a major advancement in the number of women delegates in a Constitutional Loya Jirga. In the 1964 and the 1977 Constitutional Loya Jirga, for example, only 4 and 12 women participated, respectively.

22. The Committee for the Protection of Women's Rights in the Constitution, has been established to formulate a platform of action for women delegates of the Loya Jirga. It includes the Minister of Women's Affairs, the State Minister of Women's Affairs, a network of Afghan women journalists and over 20 key women's NGOs. The Committee held a two-day workshop, on 8 and 9 December 2003, to consolidate the various recommendations presented on the inclusion of women's concerns in the

Constitutional Loya Jirga. The State Minister for Women's Affairs, Mahbuba Hoquqmal, reported that the Committee drew up a list of recommended changes to the draft constitution to enshrine the rights of women. The draft states that all Afghans are equal, but makes no explicit reference to equality of the sexes. "Learning from past constitutions and the discrimination women have suffered in the past two decades of war, we want the explicit term, 'women and men are equal', rather than the broader term, 'all Afghans have equal rights and duties before the law', which can be easily misinterpreted," said Hangama Noori of AIHRC. Other recommendations for changes made by Afghan women included explicit guarantees of equal rights, measures to eliminate discrimination and violence against women and issues regarding marriage taking place freely and with the agreement of both parties. The Committee has also called for each province to elect two women representatives to the lower house of Parliament, the Wolesi Jirga, rather than one, as provided in the draft constitution.

B. Preparations for the general elections

23. On 15 February 2003, President Karzai requested UNAMA to help prepare and organize the electoral process and coordinate international electoral assistance within the time frame of the Bonn Agreement. To manage the elections process the Joint Electoral Management Board was appointed on 11 November 2003 and comprises 11 members, including 6 Afghans — 2 of whom are women — and 5 international members — 1 of whom is a woman.

24. UNAMA estimates that of a population of approximately 25 million Afghans, approximately 10.5 million will be eligible to vote. As of 1 December 2003, the UNAMA Electoral Component has been assisting the Management Board to conduct voter registration in preparation for elections scheduled for the summer of 2004. UNAMA reports that gender issues are fully taken into consideration in the planning of the exercise. Half of all Afghan registrars, training and civic education officers are to be women so as to ensure that Afghan women can be reached and registered.

25. Given low literacy rates, particularly among women, one major challenge is to identify enough Afghan women who are literate and can travel not only outside their villages, but also beyond their family compounds without a male relative as escort. Tribal and religious community leaders, as well as Afghan civil society organizations are being mobilized to encourage women to participate actively in the electoral process. In order to accommodate the needs of women with as much flexibility as possible, women have the option to have voter cards issued with or without their photographs.

26. In addition to static registration sites, mobile registration teams are envisaged so that more people, particularly women, may be registered. Voter registration, including mobile registration teams, will depend on whether sufficient funding is made available. The voter registration exercise is projected to cost $78 million, which must be met through voluntary contributions. A shortfall of more than 50 per cent in the registration project budget is a serious cause for concern. One result was the postponement of the start of the registration from 15 October to 1 December 2003.

C. Ministry of Women's Affairs

27. The strong emphasis placed by the Afghan Transitional Administration on gender equality issues has been accompanied by the establishment of institutional mechanisms to ensure implementation. In addition to the establishment of the Ministry of Women's Affairs, the Government has also created the Office of the State Minister for Women and established a Gender Advisory Group as part of the Afghan Development Forum. Efforts are also being made to strengthen Afghan NGOs working for women's equality and to build stronger working relationships between them and Government.

28. In this reporting period, the Ministry of Women's Affairs has accelerated its implementation of an interministerial action plan to mainstream gender into all ministries. Gender focal points have been identified in each ministry and the Ministry of Women's Affairs is building their capacity to deliver Afghanistan's gender policy. The United Nations Development Fund for Women (UNIFEM) and UNDP are working together to support the Ministry's newly established Training and Advocacy Department. This is key to enabling Ministry staff to develop expertise in gender equality issues so as to train staff from other ministries. Further support has been provided by the United Nations Population Fund (UNFPA), which has totally reconstructed the Ministry's offices.

29. To achieve effective integration of gender perspectives into the work of each line ministry, it is paramount that the budget process incorporate gender issues. The 2003 International Crisis Group report, *Afghanistan — Women and Reconstruction*, describes how the Government has developed an internal structure of policy coordination bodies, called "consultative groups", as well as a Gender Advisory Group that includes donor participation. Twelve budgetary programme areas have been developed, headed by a lead ministry. To date, these have failed to incorporate gender effectively into the national budget or the budgets of line ministries.

30. As of November 2003, 29 of 32 provinces have established departments of women's affairs. Initiatives are under way to build the capacity of these departments and to strengthen communication between the Ministry and these provincial structures. Additionally at the provincial level, 23 Women's Development Centres, supported by UNIFEM and the United States Agency for International Development (USAID), are being established and will link resources with women's views and priorities at the community level. The centres are expected to play an important role in mainstreaming women's needs into services provided by Government and NGOs, particularly in the fields of literacy, health, vocational training, income generation, peace-building, conflict resolution and legal and psycho-social support.

V. Reconstruction and peace challenges

A. Security

31. The lack of security remains the most serious challenge facing Afghanistan. In addition to increased terrorist activity and fighting among various factions, there has been increased targeting of United Nations agency and NGO staff, both international and national. The hazardous security environment severely hampers the establishment of peace and reconstruction. While welcoming the expansion of ISAF

outside Kabul as a positive sign for enhanced security, national institutions must be strengthened to make Afghanistan safe for its people and for the staff of the United Nations and others working diligently to support reconstruction and peace-building.

32. In the meantime the Afghan Transitional Administration has created Provincial Reconstruction Teams (PRTs). These are military-led teams composed of international and national civil affairs, special forces and regular army units. The original goal of the teams was to secure safe areas for reconstruction activities, conducting village assessments and bridging communication between national and provincial authorities. There appears to be confusion among local populations and humanitarian actors as to the role of PRTs and distinction between their military nature and that of the humanitarian operations. There is token representation of women in PRTs, namely one woman in Bamiyan, for example. As ISAF is expanded, a gender assessment of the provincial-based security mechanisms and the role and participation of women in them is needed and should be fully supported.

33. The national police service has also received much attention. On 6 April 2003, President Karzai issued a presidential decree mandating a new structure for the Ministry of the Interior and the establishment of a national police service consisting of 50,000 police officers and 12,000 border guards. The Ministry has devised an ambitious five-year framework for creating such a service and training is under way for police officers. On 30 April 2003, the autonomous Human Rights Department of the Ministry of the Interior was inaugurated to follow up reports of abuse by police. The structure of the Department is to be replicated within every provincial police department and is expected to serve a watchdog function within the national police structure. The Afghan Independent Human Rights Commission is supporting the new Department by temporarily lending staff and organizing human rights workshops for police.

34. The Government has also instituted reform of the National Army. Eleven Afghan National Army battalions have been established, totalling 6,500 personnel out of a projected strength of 70,000. Training has been the main priority for the army in 2003. Little information is available on the extent to which gender issues are incorporated into the training of the armed forces and national police.

B. Women's human rights and violence against women

35. The insecurity and increasing incidence of sexual violence threaten to reverse the gains made especially for girls and women, as many are afraid to venture out of their homes to attend school or go to work for fear of abduction or rape by armed groups. In her aforementioned report on violence against women (A/58/421) the Special Rapporteur cites a wide range of violations against women and girls in the name of social norms, traditions and protection. Specific reference is made to domestic violence and early and forced marriages, which remain common, at times with the concerned woman or girl threatening or actually committing suicide. During the Security Council mission, Council members were shocked to learn of the frequent death threats against women activists and that the rate of suicide among women was very high often resulting from desperation against forced marriages. UNAMA reports that

> "women in Afghanistan continue to face significant obstacles. Intimidation, restrictions on movement, forced marriage, honour killings and 'protective'

incarceration are realities, particularly in rural areas, where conservative social attitudes prevail. Women are also threatened in these areas by local commanders who violate women's rights and commit sexual abuse with impunity. Refugee women and widows also face specific risks associated with lack of security, as well as physical and psychological hardship" (A/58/616, para. 45).

Trafficking of women, through and from Afghanistan, and among Afghans in neighbouring countries has been reported by the International Organization for Migration as being cause for concern.

36. In ratifying the Convention on the Elimination of All Forms of Discrimination against Women, the Afghan Transitional Administration/State took a very positive step in turning the tide on violations of women's human rights. It is obliged to take all appropriate measures to bring about the advancement of women, to eliminate discrimination against women on the basis of sex and ensure their equality with men in the enjoyment and exercise of all civil, political, economic, social, and cultural rights. The United Nations Division for the Advancement of Women of the Department of Economic and Social Affairs is undertaking to provide technical assistance to the Government, through the Ministry of Women's Affairs, to enhance its capacity for the full implementation and compliance with all the provisions of the Convention. This proposed support includes an initial high-level consultation with government officials in 2004 to assess ways and means for enhanced implementation, with follow-up visits to undertake training programmes for various target audiences.

37. The Convention will be implemented in close coordination with the overall reform of the justice sector, which is crucial to the peace process and to the full attainment of women's human rights. The reformed 12-member Judicial Reform Commission was inaugurated on 28 November 2002 and includes two women. It has a key role in the development of gender-sensitive judicial mechanisms. UNAMA reports that the justice sector has suffered more damage than any other State structure and sees a need for the responsibilities of the Commission to be refined and for the Commission to have greater decision-making powers.

38. In addition to the Judicial Reform Commission, the Bonn Agreement mandated the establishment of the 11-member Afghan Independent Human Rights Commission (AIHRC), which continues to be chaired by the former Minister of Women's Affairs and includes five women. The Commission, supported by UNAMA, the Office of the United Nations High Commissioner for Human Rights and UNDP, has established seven satellite offices in the regions with some 300 staff implementing programmes in the five mandated areas of work, namely, monitoring and investigations, human rights education, women's rights, children's rights and transitional justice. The Women's Rights Unit of AIHRC continues to ensure that women's rights are fully mainstreamed and works closely with other commissions and ministries to ensure the integration of human rights concerns and programmes throughout these bodies. Additionally, an Advisory Group on Human Rights has been established and serves as a forum for assessing the human rights situation, in particular the rights of women and girls, and establishing benchmarks for the Government's implementation of basic human rights concepts and international human rights instruments.

C. Disarmament, demobilization and reintegration

39. Disarmament, demobilization and reintegration of ex-combatants is a precursor to building a durable peace in Afghanistan and is contingent upon an effective national army and police force. The programme, known as the Afghan New Beginnings Programme, requires that combatants from different political factions give up their weapons to the central Government under the administration of the Ministry of Defence.

40. During the first phase of the disarmament, demobilization and reintegration programme, beginning in October 2003, a pilot project was launched to disarm 1,000 ex-combatants in each of six designated locations: Bamiyan, Gardez, Kabul, Kandahar, Kunduz and Mazar-i-Sharif. Lessons learned from the pilot phase will be incorporated into the main phase of the Afghan New Beginnings Programme that will disarm, demobilize and reintegrate the remaining 94,000 ex-combatants.

41. While women were not counted among the ex-combatants in Afghanistan as they are in recent conflicts in other parts of the world, the disarmament, demobilization and reintegration programme will have an impact on them. The extent to which the programme incorporates gender perspectives is as yet unknown. A child-specific reintegration programme has been developed for demobilized child soldiers by the United Nations Children's Fund (UNICEF), which will provide education and skills training for their reintegration into their communities.

D. Return of refugees and internally displaced persons

42. In 2003 the Office of the United Nations High Commissioner for Refugees facilitated the return of 470,000 Afghans from Pakistan and the Islamic Republic of Iran, bringing the total of assisted returns to over 2.5 million since March 2002, of which 47 per cent were female. Many others have returned using their own resources. At the same time, around 60,000 internally displaced persons returned with assistance from the Office and its partners in 2003; others went home on their own. Some 190,000 persons are expected to remain displaced by the beginning of 2004, most of them in the south of the country.

43. The Office supports capacity-building of line ministries, including the Ministry of Women's Affairs. It has provided the neediest returnee families with shelter kits, which include beams, doors and window frames, so that they can build mud houses. The programme targets households headed by women, which are provided with the means to pay others to carry out the construction work. Specific measures are also taken to ensure that women's names appear on title deeds. So far in 2003, 34,000 families have constructed new homes. A further 16,000 should be completed by the end of 2003.

44. Owing to the general shortage of employment opportunities, many returnee men are forced to migrate to urban areas in search of work, leaving women without support to manage family affairs. Some women returnees are obliged to go out to work, which exposes them to risks of landmines, exploitation and other abuses. The Office of the United Nations High Commissioner for Refugees works to support community-based rehabilitation programmes, advocating for the inclusion of women in programmes from which they are often forgotten or marginalized.

45. In mid-November, the Office suspended repatriation from Pakistan and withdrew international personnel from southern and eastern regions after a woman staff member was killed in the city of Ghazni, south of Kabul. Road missions were also put on hold, thereby restricting returnee-monitoring activities. The Organization is currently reviewing the situation, with a view to resuming activities when security conditions permit.

E. Narcotics trade

46. The United Nations Office on Drugs and Crime reported recently that Afghanistan is the world's largest producer of illicit opiates, accounting for 77 per cent of the world's total cultivation in 2003. Ten million people around the world are addicted to Afghan opiates. Drug production and trafficking leads to insecurity and instability of the country. International donors and the United Nations are supporting the Afghan Transitional Administration's narcotic drug sector through law enforcement, demand reduction and comprehensive measures to promote alternative livelihoods.

47. A total of 1.7 million people (approximately 7 per cent of the population) in Afghanistan are dependent on opium poppy cultivation for their livelihoods. The recently formulated plan supported by the Food and Agriculture Organization of the United Nations for an alternative livelihood to opium poppy cultivation has particularly focused on women's involvement in poppy cultivation. The plan proposes alternative on and off-farm income-generating activities, which are particularly appropriate for women.

48. More attention is now being focused on women as users of illicit drugs. A 2003 study on drug use in Kabul carried out by the United Nations Office on Drugs and Crime showed that women constitute 4 per cent of heroin users, 9 per cent of hashish users and 29 per cent of opium users, and 56 per cent of the female users interviewed had taken pharmaceutical drugs. The study indicates an increase in intravenous drug use raising concern for transmission of HIV/AIDS. The Office plans to undertake drug demand reduction assistance, comprising preventive education, treatment and rehabilitation for Afghans, including those returning from refugee camps. Special attention will be given to assistance for the large number of women who have become drug users as a result of trauma suffered in recent years.

F. Mine action

49. Afghanistan is one of the countries of the world with the largest number of mines and unexploded ordnance. The resulting human suffering is substantial, with up to 150 casualties estimated to occur every month and limited medical and rehabilitation infrastructure to assist survivors. Mines and unexploded ordnance pose a particular threat to young children, including girls, who are often involved in farming, animal grazing and collecting water, areas where mines are often found.

50. While women make up only 5 per cent of survivors of mine injuries, with the improving situation in mobility of women and girls within Afghanistan there is a potential for increased risks to them. As a result, the Mine Action Programme for Afghanistan, implemented by the Department of Peacekeeping Operations Mine Action Service, undertakes mine-risk education services that have been specifically

tailored to meet the needs of women and girls through targeted awareness-raising activities. This includes a focus on girls newly returning to the education system and accessing women through training and deployment of mobile husband and wife teams to visit villages and towns. UNICEF assists this process through the integration of mine-risk education into ongoing teacher-training programmes, which reached over 25,000 educators in 2003. Mine-risk education has also been integrated into the newly developed school curriculums.

VI. Economic and social situation

A. Health

51. Despite positive developments since the instalment of the Afghan Transitional Administration, the health situation of women and girls in Afghanistan continues to reflect the consequences of the long-term conflict, displacement, shortage of female health personnel and difficult as well as limited access to health-care services in many communities in Afghanistan.

52. The recent studies carried out by the United States Centers for Disease Control and UNICEF confirmed that Afghanistan has the second highest maternal mortality rate in the world, with a maternal mortality ratio of 1,600 per 100,000 live births at the national level and 6,500 per 100,000 live births in certain deprived areas of the country. Maternal mortality would be alleviated with increased access to essential obstetric care and increased training of female health personnel. An increase in the population's awareness concerning the issues of women's health would also greatly facilitate improved maternal and infant health. Currently, across Afghanistan, only 15 per cent of deliveries are attended by trained health personnel.

53. Utilization of health services in facilities where only male health personnel are available is very low; the few female health personnel need retraining in basic health-care provision. Traditions in Afghanistan make treatment of women by male nurses or doctors difficult and serve as a constraint for women seeking health care. Increasing female representation in the health-care sector is a priority in order to address this constraint.

54. The World Health Organization (WHO) provides technical and material support to the Ministry of Public Health and makes substantial efforts to train female health-care providers in schools of nursing and midwifery and to provide refresher training for those already working in the health sector. UNFPA provided support to maternal health hospitals in Kabul and basic and emergency reproductive health services to women in remote areas. UNFPA has channelled its assistance through large numbers of NGOs with their networks of maternal and child health clinics.

55. UNICEF has successfully carried out immunization programmes in every province of the country that continue to save lives, even in the most remote areas. Over 10 million children were immunized against measles in 2003, while during the same period 6 million children were given polio vaccines and vitamin A supplements. No other country facing a complex emergency has recorded such high levels of coverage for measles vaccination. Over the last two years, some 750,000

women aged 15 to 45 have been vaccinated against tetanus during the Maternal and Neonatal Tetanus campaigns supported by UNICEF.

56. As dissemination of health information and education is a crucial element in health promotion programmes, WHO, together with UNICEF, the United Nations Human Settlements Programme, the Afghan Ministry of Public Health, the Ministry of Women's Affairs, the BBC World Service and Radio Afghanistan, has embarked on a project designed to enhance the capacity of Radio Afghanistan staff to develop, produce and broadcast women's health programmes to the Afghan population in the Dari and Pashtun languages.

B. Education

57. Girls' education is a priority in Afghanistan. Supporting education and establishing schools as centres for social change in communities remain a priority for United Nations entities, including the United Nations Educational, Scientific and Cultural Organization (UNESCO), UNICEF and UNFPA.

58. The recently concluded UNICEF Multiple Indicator Cluster Survey shows a net increase of 37 per cent in girls' enrolment from 2002 to 2003. Even southern provinces show an average net increase of about 30 per cent in spite of higher levels of insecurity and conflict. The ratio of boys to girls in school has reached the same levels as in pre-Taliban days. However, there are still many girls out of school. Safety and security, distance from home and inadequate school facilities are the main reasons cited by families for not sending children, both girls and boys, to school. In the case of girls, a shortage of female teachers continues to be a main obstacle to girls going to school.

59. The Back-to-School campaign launched by the Ministry of Education and UNICEF has been a major success and 4.2 million children are now enrolled in school. The World Food Programme (WFP) provides school feeding to over 1 million children and includes an additional take-home ration of 4 litres of oil to girl students as an incentive to encourage girls' enrolment. They also support non-formal education training targeted to 75,000 trainees, reaching more than 38,000 women and adolescent girls participating in skills training, adult literacy and life skills. The Ministry of Women's Affairs plans to replicate such training and WFP will provide food rations for the participants of this forward-looking initiative.

60. In 2003 UNESCO estimated that 51.9 per cent of men and only 21.9 per cent of women over the age of 15 know how to read and write. This is why in January 2003 UNESCO and the Government launched the Literacy and Non-formal Education Development in Afghanistan project (LAND AFGHAN) to boost literacy. While efforts are under way to support the return of children to school, the adult population, which is responsible for the immediate reconstruction and the revival of the economy, also needs to have its skills and knowledge upgraded. In this regard, UNFPA is supporting a programme to assist the Ministry of Education and the Ministry of Women's Affairs in strengthening the formal and informal adult educational system that integrates population, gender and reproductive health education, including literacy and skills training.

C. Employment

61. One of the major priorities for many Afghan women, including an estimated 1 million destitute widows country-wide, is to earn an income to support their families and raise their standard of living. Many women have returned to their former jobs in the civil service, health and education sectors in 2003. International agencies have given priority to hiring women. UNICEF, for example, hires women for immunization campaigns. The Joint Electoral Monitoring Board and the United Nations Mine Action Service have employed women to undertake field-based work. Training and employment of female teachers and employment of women as health workers are seen as important opportunities to bring more women into the workforce. Precise data on the numbers of women entering the formal workforce are not known, but greater attention will be paid to this area in future reports as more data become available.

VII. Coordination of the United Nations assistance to Afghan women and girls

A. Coordination mechanisms

62. The United Nations in Afghanistan, as mentioned in paragraph 9, is fully committed to incorporating gender perspectives throughout all reconstruction and peace-building activities. UNAMA has developed a 2004 mission implementation plan which aims to integrate gender perspectives throughout all aspects of its work in support of the Afghan Government's policies and strategies for development, especially with regard to coordination and capacity-building.

63. The Gender Advisory Group was established in December 2002 as a support structure to the Ministry of Women's Affairs following the Government's decision to establish advisory groups for cross-cutting issue areas. It aims to promote the integration of gender equality and advancement of women into each national priority programme area through provision of high quality policy, strategy and programme advice to consultative groups and monitoring for its reflection in the budget, policy, strategy and programmes of the National Development Plan.

64. The membership of the Gender Advisory Group consists of representatives of the donor community, international and national NGOs, United Nations entities and professional women's associations and networks. It has been playing a policy advisory role to the Afghan Transitional Administration and provides technical assistance to the Ministry of Women's Affairs in the preparation of the National Development Budget for public investment programmes. In November 2003 the Gender Advisory Group established two working groups to assist in coordinating women's participation in the ongoing constitutional reform process and in ensuring that gender perspectives are integrated into the 2004 National Development Budget public investment programmes. It is envisaged to establish a policy unit in the Ministry of Women's Affairs, with both international and national experts. The unit will work closely with the gender focal point of the policy management unit in the Office of the President.

65. The UNAMA Gender Inter-Agency Network has also been operational during 2003. It includes gender focal points from United Nations organizations. The

Network meets on an ad hoc basis to ensure a coherent and coordinated approach to gender mainstreaming.

B. UNAMA Gender Unit

66. The General Assembly, in its resolution 58/27 A and B, recognized the importance of a UNAMA gender adviser, as did some Security Council members in their statements to the Council during the open debate of 29 October 2003 on women, peace and security. The Minister of Women's Affairs has also referenced the importance of having technical support and guidance from the United Nations system in gender equality issues. A UNAMA gender adviser at the senior level would play an important role in guiding the Unit to enhance inter-agency coordination and technical support to the Government in ensuring that gender perspectives are incorporated throughout all reconstruction and peace-building activities and in UNAMA itself. While the D-1 post of Senior Gender Adviser remains unfilled, UNAMA filled the P-4 Gender Adviser position in November 2003 and plans to strengthen further its Gender Unit by recruiting one new officer whose primary function will be to build the capacity of gender focal points at the eight UNAMA provincial offices in developing the capacity of Departments of Women's Affairs and in ensuring the effective coordination of assistance at the provincial level.

VIII. Recommendations

67. In order to strengthen further the status of women and girls in Afghanistan and their full participation in the reconstruction and development of their country, the Commission on the Status of Women may wish to consider the following recommendations.

(a) To the Afghan Transitional Administration and future Government

(i) Fully implement the Convention on the Elimination of All Forms of Discrimination against Women and in so doing enact new non-discriminatory laws and repeal all legislation, edicts and other measures that discriminate against women and girls, as well as those that impede the full enjoyment of their human rights and fundamental freedoms, and prepare the initial report due in March 2004;

(ii) Ensure that the constitution explicitly enshrines the principle of equality of women and men and prohibits all forms of discrimination against women;

(iii) Ensure that the electoral processes are carried out and monitored closely to make certain that women are able to register, participate fully and support special measures that would guarantee that they are represented in local, provincial and national government positions;

(iv) Implement gender budgeting in the national budget and in all budgets of the line ministries;

(v) Ensure that the national security structures (police and army) are trained in gender issues and systems are put in place that respect and uphold human

rights and fundamental freedoms and meet the needs of women, especially in response to human rights abuses, including domestic and sexual violence;

(vi) Ensure that the Ministry of Women's Affairs, the Judicial Reform Commission and the Afghan Independent Human Rights Commission have adequate human and financial resources to fulfil their mandates and address gender perspectives in line with international standards;

(vii) Undertake a gender analysis of the demobilization, disarmament and reintegration programme to ensure that all those who have participated in or have otherwise been affected by war receive equal support for reintegration into society and training to become more economically stable;

(viii) Ensure the effective and equal access of women and girls to health care;

(ix) Ensure the equal right of women and girls to education without discrimination, the effective functioning of schools throughout the country and the admission of women and girls to all levels of education and support the education needs of those women and girls who were excluded from education in the past;

(x) Respect the equal right of women to work and promote their reintegration in employment in all sectors and at all levels of Afghan society;

(xi) Protect the right to freedom of movement, expression and association for women and girls.

(b) To Governments, including donors, the United Nations system and civil society:

(i) Ensure that the necessary resources are allocated through the Ministry of Finance and other sources to mainstream gender perspectives into all policies and programmes;

(ii) Support all line ministries to integrate gender perspectives into their programmes and budgets and enhance the technical expertise and capacity of the Ministry of Women's Affairs to provide technical support and guidance to line ministries in achieving this goal;

(iii) Support capacity-building for Afghan women to enable them to participate fully in all sectors, with special emphasis on ensuring women's participation and representation in all aspects of the electoral process leading to the June 2004 elections;

(iv) Enhance the provision of technical and other relevant assistance so that the judicial system adheres to international standards of human rights;

(v) Support measures to hold accountable those responsible for gross violations of women's human rights in the past and to ensure that full investigations are conducted and perpetrators brought to justice;

(vi) Ensure training of international actors in gender issues, including proper codes of conduct to prevent sexual exploitation and abuse of the population, especially women and girls, and fully implement, where appropriate, the Secretary-General's Bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13);

(vii) Encourage and support increased cooperation and coordination among United Nations entities, donors, civil society and Governments so as to maximize benefits and support for gender mainstreaming and the advancement of women.

Notes

[1] Information was received from the United Nations Assistance Mission in Afghanistan, the Department of Political Affairs, the Department of Peacekeeping Operations Mine Action Service, the Office for the Coordination of Humanitarian Affairs, the Division for the Advancement of Women of the Department of Economic and Social Affairs, the United Nations Office on Drugs and Crime, the United Nations Development Programme, the United Nations Development Fund for Women, the United Nations Population Fund, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the World Food Programme, the Office of the United Nations High Commissioner for Human Rights, the Food and Agriculture Organization of the United Nations, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the Office of the Special Representative to the Secretary-General on the Situation of Children in Armed Conflict and the International Organization for Migration.

[2] See *Report of the Joint United Nations Inter-Agency Network of Women and Gender Equality and the OECD/DAC Workshop on Gender and Post-conflict Reconstruction: Lessons Learned from Afghanistan and Elsewhere*, Paris, 10-11 July 2003 (www.un.org/womenwatch/ianwge).

[3] See www.womenforafghanwomen.org.